

1
2 **19. ISSUE: HENDERSHOTT ENGAGED IN NEPOTISM BY ARRANGING FOR**
3 **THE HIRING OR PROMOTION OF VARIOUS RELATIVES AND FRIENDS -**
4 **SUBJECT: HENDERSHOTT**
5

6 **Chief Deputy David Hendershott**
7

8 H14A. Michael Rayball, Computer Crimes Unit (the husband of Chief Deputy David
9 Hendershott's sister-in-law), was employed by MCSO.

10
11 H14B. David Hendershott, Jr., civilian computer forensic investigator and Chief
12 Deputy David Hendershott's son, was hired to work in the MCSO Computer
13 Crimes Unit. Allegedly, Dave Hendershott, Jr. was the top overtime earner for
14 the entire Sheriff's Department.

15
16 H14C. Adam Vecchi (David Hendershott, Jr.'s friend from high school), was hired to
17 work in the MCSO Computer Crimes Unit.

18
19 H14D. Forrest Mark Anderson (Chief Deputy David Hendershott's family friend), was
20 hired to work in the Computer Crimes Unit.

21
22 H14E. Hendershott arranged for the company of the boyfriend of Patricia Cordova
23 (whose wife worked with Chief Deputy David Hendershott's wife), who works
24 in the Personnel Division, to obtain a \$10,000 contract with MCSO for
25 providing promotional materials.

26
27 H14F. Lyzandra Ovist, Chief Deputy David Hendershott's Administrative Assistant,
28 who formerly was an administrative assistant for Lorraine Hendershott at a
29 school district, was hired by MCSO.

30
31 H14G. Gary Cress, whose daughter dated Dave Hendershott, Jr., was hired as the Fleet
32 Manager for MCSO.

33
34 H14H. Karl Gosch was given the position of DOD Procurement Manager when other
35 parties were more qualified.

36
37 H14I. Joann Kennedy, an experienced civilian investigator, was originally assigned to
38 work with David Hendershott, Jr., but after challenging him, she was reassigned
39 to SIU.

40
41 H14J. Patricia Cordova, sister of Lorraine Hendershott, spouse of David Hendershott,
42 Sr., was employed by MCSO.

43
44 H14K. Jeffrey Hendershott, son of Chief Deputy Hendershott, was employed by
45 MCSO.

MUNNELL'S WRITTEN ACCOUNT

Hendershott: Nepotism keeps friends and members of his family employed.

Nepotism is defined as the practice, on the part of a person possessing hiring authority, of displaying preferential treatment to family members when making job appointments without regard to questions of merit or qualification. That same principle and practice also occurs when it relates to the hiring of friends, political allies, and the like.

Over the years, Chief Hendershott has systematically used his position as the Chief Deputy to benefit family members, friends, and political allies alike by filling or creating jobs for them in positions that (more properly) should have been held by other existing Sheriff's employees more justifiably qualified for such appointments. He has repeatedly manipulated this agency's hiring and promotional process to advance applicants that are family members, friends, or are politically connected by providing subordinates with the names of preferred candidates for a variety of positions. There have been too many people appointed because of their association with Hendershott to mention in this memorandum, but here are some notable examples:

Michael Rayball: Chief Hendershott created the Computer Crimes Unit but did not follow the standard practice of assigning a sworn Captain or Lieutenant, as its first Commander. Instead, Chief Hendershott assigned Michael Rayball, his brother-in-law as the first Commander. Mr. Rayball had no previous law enforcement experience and was reportedly a part-time teacher at Scottsdale Community College. When other MCSO employees in the unit would ask Rayball about his relationship to Hendershott, he initially denied any. Subsequently Rayball explained his misleading denials by saying that his wife was only the half-sister of Lorraine Hendershott, Chief Hendershott's wife. Later, Mr. Rayball left the Sheriff's Office following a divorce from Hendershott's sister-in-law.

David Hendershott Jr.: Once the Computer Crimes Unit was established, Hendershott created a series of well-paid positions in this unit, including a position for his son David Hendershott Jr. who apparently chose not to apply for a Deputy Sheriff position. This is a civilian criminal investigator position with the responsibility of conducting forensic computer examinations. In this position, Hendershott Jr. was under the command of his uncle, Michael Rayball. It has also been reported that MCSO is the only local law enforcement agency that hires non-sworn employees in this type of investigative position.

A third civilian investigator named Joann Kennedy was hired who was not associated with the Hendershott family. Kennedy had extensive previous experience while assigned to the prestigious Rocky Mountain Information Network and had impeccable credentials. She was considered the most experienced and most talented forensic investigator within the Unit. However, Hendershott Jr. who let everyone know who his father was by his "Brat" like behavior and who didn't like being told what to do, often clashed with the more experienced Kennedy who did not hesitate to stand up for herself. It was after some kind of disagreement between the two that Kennedy was abruptly transferred to the Special Investigations Division.

This unwarranted transfer personally devastated Kennedy, who was very passionate about her responsibilities in the Computer Crimes Unit. Chief Hendershott then fabricated a cover story that Special Investigations had requested her to be transferred to that division. In fact, her transfer was a complete surprise to all in the Special Investigations Division. However, they were very happy to receive such a talented asset to their operation.

The result of the sudden transfer of Joanne Kennedy effectively reduced the manpower assigned to computer forensics by one third. However, the workload remained significant and as a result,

MCSO Investigation No. M081710, Principals: Hendershott, Black and Fox
Report of Administrative Investigation by PCSO
April 11, 2011

David Hendershott Jr. often worked a large amount of overtime. The type of cases the MACE unit investigates requires a great deal of computer forensic work. In fact, the Sheriff's Office Detail of Overtime Worked for the Pay Period Ending February 8, 2009 revealed that Hendershott Jr. was the top overtime earner for the entire Sheriff's Office. His overtime paid for that pay period totaled forty-six hours, which came to a grand total of two thousand, one hundred and twenty-one dollars and six cents. (\$2,121.06)

Adam Vecchi: Once David Hendershott Jr. was hired as a civilian investigator, Hendershott then hired another family friend named Forrest Mark Anderson for another criminal investigator position, but he did not make probation and was terminated. Hendershott then hired Adam Vecchi, who was a high school friend of David Hendershott Jr. and is currently assigned to work alongside Hendershott Jr. in the Computer Crimes Division.

Patricia Cordova: Cordova was hired and placed in the Personnel Division where she received several promotions within a relatively short period. She was eventually assigned as the Commander of the Division, responsible for all of the hiring and management of Sheriff's Office personnel. In this capacity, she was reportedly overbearing, a poor manager, and had a negative impact on morale. Due to the fact she was ill suited as the Commander of Personnel, she was eventually reassigned by Chief Sheppard to a newly created Employee Relations Section (a lesser position) and then assigned to yet another position before she eventually resigned from the Sheriff's Office.

While assigned as the Commander of Personnel, the Sheriff's Office had begun a major recruiting effort to staff the new jail facilities that were under construction. Jail tax monies were budgeted to purchase recruiting materials. Cordova reportedly arranged for her boyfriend to receive a contract to create and apply recruiting advertisement graphics to Sheriff's Office vehicles as well as other promotional materials. It is believed that this contract was in excess of ten thousand dollars (\$10,000). It is not known whether Cordova's arrangement for such a contract to be provided to her boyfriend was violated the Arizona State Procurement Code.

Lyzandra Ovist: Ms. Ovist, before coming to the Sheriff's Office, had worked at the office of a public school district as the administrative assistant to Lorraine Hendershott. She was hired as, and currently serves as Chief Hendershott's administrative assistant and supervisor of two other administrative assistants. It was clear that she was hired pursuant to a special arrangement since a standard recruitment notice for the position was never opened up or posted for existing employees. Other MCSO more qualified and worthy potential applicants, such as your assistant Helen Gonzales, who had over twenty-five years experience working for this office, were excluded from consideration. Ms. Ovist was eventually hired at a rate of over thirty-dollars (\$30.00) per hour, a rate well beyond the pay range of the existing administrative assistants for command staff.

Gary Cress: Gary Cress is a civilian employee responsible for the management of the Sheriff's vehicle fleet. At the time Cress was employed by the Sheriff's Office, Mr. Cress' daughter was reportedly engaged to be married to David Hendershott Jr. The pair has since ended their relationship.

Karl Gosch: Karl Gosch is currently assigned as the DOD Procurement Manager. It is reported that Gosch is related to Yvonne Fedderson who, together with Sara Omeara, founded Child Help. The Federson's Paradise Valley residence was the location of two of your major Fundraisers, one in 1996 and another in 2004. Gosch was initially hired on September 23, 2003 as an administrative assistant. It was reported, however, that Gosch made it known that he wanted more money but did not want to apply for a detention Officer or Deputy position.

Chief Hendershott then directed Personnel to hire Gosch for a position in the warehouse that was to pay him over twenty-two dollars (\$22.00) per hour. Problems arose along the way, which

MCSO Investigation No. M081710, Principals: Hendershott, Black and Fox
Report of Administrative Investigation by PCSO
April 11, 2011

1 prevented his promotion to such a high paying job. The first problem was that Gosch lacked the
2 qualifications and/or certification necessary for him to qualify for the position. The second
3 problem was that personnel failed to realize that Gosch was still on his initial probation in his
4 lesser paying administrative position, and was therefore, ineligible for the promotion.
5

6 During this same recruitment period, George Graves, an exceptional employee with a long and
7 impressive work history as the manager of the Sheriff's Distribution Section, also applied for the
8 position and actually received a letter informing him that he was the sole candidate on the
9 Maricopa County Personnel certification list. However, the position opening was suddenly closed
10 for the second time without anyone being hired. Graves was very unhappy that he was not
11 promoted after being the only person on the list. He suspected that someone in a high command
12 position was holding the job for someone special, and had unfairly deprived him of this
13 promotion. This would have been a significant pay increase for Graves, who was making between
14 fifteen and eighteen dollars an hour at the time and was selected that year as the Sheriff's Civilian
15 Employee of the Year.
16

17 Ultimately, Hendershott ensured that recruitment for the position be opened up for a third time and
18 Gosch was finally promoted into that position on July 20, 2004.
19

20 **WITNESSES LISTED BY MUNNELL**

21		
22	Executive Chief Loretta Barkell	Extensive knowledge of nepotism/political hires.
23	Deputy Chief Frank Munnell	Knowledge of nepotism and hires.
24	Deputy Chief MaryEllen Sheppard	Former Personnel Commander
25	David Hendershott Jr.	Benefitted from job creation.
26	Adam Vecchi	High School friend of Hendershott Jr.
27	Lyzandra Ovist	Exec Asst. for Hendershott, formerly DH's wife.
28	Gary Cress	DH son formerly engaged to Cress's daughter.
29	Karl Gosch	Political hire
30	George Graves	Deprived of promotion due to hiring of Gosch.
31	Karen Andrews	Knowledge of attempt to hire Aubuchon.
32	Lt. Steve Bailey	Knowledge of Kennedy transfer.
33	Adm. Asst. Michelle Vendredi	Knowledge of friction between Kennedy/Hendershott.
34	Lt. Russell Skinner	Computer Crimes Command. Kennedy/Rayball.
35		

36 **NARRATIVE SUMMARY**

37
38 Munnell alleges that Hendershott has assigned unqualified friends and family members
39 to various positions which should have been staffed by a sworn Captain or Lieutenant.
40

41 **DOCUMENTARY EVIDENCE**

42
43 **Exhibit FF1. Spreadsheet prepared by Andy Mesquita on employment data on**
44 **eleven employees believed to have some degree of personal association with**
45 **Chief Deputy David Hendershott.**
46

47 This table reflects that of the eleven employees, ten were hired as temporary
48 employees and then in relatively short sequence were hired as classified employees.

1 The one employee who was not initially hired as a temporary employee was Garcia
2 Willard, for whom Mr. Mesquita provided the following information.

3
4 Hired 7/16/07 as Classified Office Assistant. Reposted twice- applicant applied first time
5 and was removed for not meeting qualifications – reapplied during second recruitment.
6 And made the cert list (three lists issued) – 453 apps received in total – 194 total qualified
7 between two lists.
8

9 **Exhibit FF2. Job Postings and Definitions**

10
11 Found under this exhibit number are the following documents.

- 12
13 • Listing of recruitment types in use in Maricopa County, which are broken into two
14 categories, those in use prior to 2005/ 2006 and those post 2007. Prior to 2007,
15 there were five types of recruitments available, ranging from open competitive,
16 i.e. open to the general public, including employees, to internal (low org). The
17 internal (low org) recruitment, according to the document, was defined as “open
18 to employees of a specific unit (i.e. Criminal Investigations) within a specific
19 division (i.e. Investigations) in a specific department (i.e. MCSO) only.” Circa
20 2007, the county changed recruiting practices, and eliminated three of the five
21 recruitment types that were available previously, leaving only open competitive
22 and internal (county-wide). This change eliminated the internal (low org)
23 recruitment type. Information from Mr. Mesquita revealed that the majority of the
24 recruitments of persons associated with Chief Hendershott were internal (low
25 org) recruitments.
26
27 • Recruitment for Employee Compliance Manager position, filled by Patricia
28 Cordova, reflecting that this was an internal MCSO recruitment, open to office of
29 the administration, personnel services only, unit 5073.
30
31 • Recruitment for the position of Administrative Coordinator IV, Patrol Resources,
32 ultimately filled by Karl Gosch, reflecting that this was an internal MCSO low org
33 only recruitment, unit 5031.
34
35 • Recruitment for Sheriff's Fund Administrator, ultimately filled by Gary Cress,
36 reflecting that this was a low org recruitment for unit 5023.
37
38 • Recruitment for position of Computer Forensic Crimes Analyst, ultimately filled by
39 Forrest Anderson, advertised as a low org recruitment, unit 5061.
40
41 • Recruitment for position of Personal Computer Support Specialist, ultimately
42 filled by David W. Hendershott, Jr., a low org recruitment, unit 5061.
43
44 • Recruitment for position of Computer Forensic Crimes Analyst, ultimately filled by
45 David W. Hendershott, Jr., low org recruitment, unit 5061.

- 1
- 2 • Recruitment for position of Computer Forensic Crimes Analyst, ultimately filled by
- 3 Adam Vecchi, low org recruitment, unit 5061.
- 4
- 5 • Recruitment for position of Administrator 1, ultimately filled by Michael Rayball,
- 6 low org recruitment, unit 5552.
- 7
- 8 • Recruitment for position of Administrator I, Command Division, ultimately filled by
- 9 Lyzandra Ovist, under a low org recruitment, unit 5047.
- 10
- 11 • Rules 1, 4, 5, 6, 8, and 11, Maricopa County Merit System rules.
- 12

13 **Exhibit FF3. Records re: Lyzandra Ovist**

14 Found under this exhibit are the following documents.

- 15
- 16
- 17 • Certification list of eligible, requisition no. 7349, Administrator I, run date March
- 18 29, 2005, reflecting that Lyzandra Ovist was the only candidate.
- 19
- 20 • Job application report of Lyzandra Ovist.
- 21
- 22 • Job posting for the Administrator I, Command Administration position.
- 23

24 **Exhibit FF4. Records re: Karl Gosch**

25 Found under this exhibit number are the following documents.

- 26
- 27
- 28 • Certification list of eligible, requisition no. 2649, inventory control manager. Karl
- 29 Gosch was the only listed candidate.
- 30
- 31 • Job posting for Inventory Control manager DOD procurement open to all
- 32 employees of MCSO.
- 33

34 **Exhibit FF5. Records re: Patricia Cordova**

35 Documents found under this exhibit number of the following.

- 36
- 37
- 38 • Certification list of eligible, requisition no. 7035, Training Coordinator. This
- 39 document listed only one candidate, Patricia Cordova.
- 40
- 41 • Job application report (application) for Patricia Cordova.
- 42
- 43 • Job posting for Administrator/ Training Coordinator, reflecting that this was a low
- 44 org recruitment, under unit 5073.

WITNESS ACCOUNTS

Frank Munnell

Munnell's information about these hirings principally comes from other individuals. The information he had is set forth on pp. 71-77 of Exhibit II 28b.

Steven Werner

Steve Werner indicated that he briefly supervised Jeffery Hendershott who was assigned in Communications as a dispatcher for approximately one year circa 2005-2006. Werner said that he received complaints about Jeffery from Mary Millard, the Division Commander, as well as the other supervisors, that Jeffery was a poor employee who came to work in basketball shorts and tank tops and bragged about his father's wealth. Werner told Lisa Allen about the reported problems with Jeffery, and she would tell Ed Carnavel (phonetic), who would address the issues with Chief Hendershott. In return, Hendershott would yell at Lisa Allen and others and never recognized that it was his son who was the problem. Eventually, Jeffery resigned and told others that his father was going to find him a job elsewhere. Werner did not know the process Jeffery went through to get hired and he had no involvement in hiring him.

Brian Sands

Sands acknowledges having familiarity with some of the relatives or friends of Hendershott that were employed by MCSO, but he has no impression about whether any policies had been violated in the employment of these individuals, or whether Hendershott had taken liberties given his position with MCSO, to inappropriately engage family members or relatives. He cannot say whether the hirings were or were not appropriate. Of these individuals, Rayball was the only individual who worked for Sands, and Rayball was hired over ten years ago, and left MCSO 4 to 5 years ago.

Loretta Barkell

Barkell indicated that MCSO has a number of relatives employed, and there are "a lot of connections" in the Sheriff's Office. (p. 58, Exhibit II6a) Loretta advised that it is County HR, not MCSO HR, that prepares the list of certified candidates for positions. It is also her position that they have followed the hiring procedures with respect to the various individuals known to be associated, in one way or the other, with Chief Hendershott.

We talked briefly about a question that had been raised in the Munnell memo about the company of the boyfriend of Patricia Cordova, who is related to Hendershott, obtaining a \$10,000 contract to provide promotional materials. Loretta says that this contract was bid and was legitimate. Loretta was of the impression that it was the Chief Deputy who

1 made the final decisions on the selection of all individuals who had been listed, and
2 were known to be associated with Hendershott. He did not serve on any interview
3 panels. There were no interview panels for the positions for which these individuals
4 were hired, rather, as Loretta put it, "Hendershott was the panel." (p. 62, Exhibit 116a)

5
6 Barkell claims that the Computer Crimes group was established when Hendershott
7 brought in his brother-in-law, Mike Rayball, and that other individuals were brought into
8 the department who were relatives of David Hendershott, Jr., the Chief's son, or friends
9 of David, Jr. She believes that Chief Hendershott made the hiring decisions of these
10 individuals. I asked her if there was anyone in the Computer Crimes Unit who is not a
11 relative or friend of a relative of Chief Hendershott, and she mentioned Stephanie
12 Molina, a Sergeant or Lieutenant, who was overseeing the unit at present.

13
14 The team discussed with Ms. Barkell her familiarity with the MCSO employees
15 reportedly related in some way or another to Chief Hendershott. Her comments about
16 these individuals were as follows.

- 17
- 18 • Michael Rayball. Rayball was the brother-in-law of David Hendershott, insofar as
19 Hendershott's wife's sister was married to Rayball. He accepted the position in
20 1999, and at that time, MCSO had the capacity to hire temporary employees
21 against a temporary employee budget, and from that point forward, if there was
22 an available position, a fully funded and classified position, the individual would
23 be given the opportunity to apply for a permanent fully funded position. Rayball
24 started with MCSO before Ms. Barkell came to the Sheriff's Office.
 - 25
26 • David Hendershott, Jr. David, Jr. was hired as a temporary employee, working
27 as a "temporary computer person" while he was finishing school. When he
28 finished school he was hired in a permanent position. He started his temporary
29 career in 2000, and became a permanent employee in 2002. Hendershott was
30 employed in the Computer Crimes Division, which was headed up by Michael
31 Rayball. Barkell did not know if there were any other individuals on the cert list,
32 from which David Hendershott, Jr. was made a permanent employee, beside
33 him.
 - 34
35 • Adam Vecchi. Vecchi was a close personal friend of David Hendershott, Jr., and
36 was hired as a temporary computer forensic crimes analyst. He also was
37 afforded the opportunity to apply for a permanent position. Barkell does not
38 know if there were any other individuals on the cert list, from which Vecchi was
39 hired, besides Vecchi.
 - 40
41 • Forrest Anderson. Loretta Barkell had no recollection of an employee named
42 Forrest Anderson, who appears to have been employed by the County for only a
43 six month period.
- 44

1 Ms. Barkell indicated that she had communications with Chief Hendershott relating to all
2 of the five above-referenced individuals, with the exception of Rayball. As part of her
3 oversight over Finance and HR, her staff tracked what positions were vacant, and the
4 Chief Deputy was briefed routinely about those vacant positions. He would coordinate
5 between Ms. Barkell and MaryEllen Sheppard, who was the HR Director at the time,
6 always making sure that hiring policies were followed.

7
8 The following questioning took place during the course of the investigative interview.

9
10 Q: Well, I guess, let me ask a more pointed question and did David
11 Hendershott ever approach you, with respect to any of the individuals, Rayball
12 through Ovist and say, you know, I'd like to make it happen for these individuals
13 to be hired?

14
15 A: Yes, for all of them, that's how it always works.

16
17 Q: Okay.

18
19 A: For all of them, it's, we refer to that as Friend of Dave's, FODs. (p. 5,
20 Exhibit II6b)

21
22 Barkell indicated that that particular acronym, "FOD," had been in use since she started
23 employment with the Sheriff's Office. As she put it:

24
25But, you would be called down to the Chief Deputy's Office and he would
26 hand you a resume and say, what do you have and how can you make it happen,
27 quickly. And they always had a story behind them, there always were some poor
28 pitiful person who was out of work or, you know. Every so often he would say,
29 the Sheriff would like you to hire this person.

30
31 Q: So, what do you have available for them and how can you make it
32 happen?

33
34 A: Yes. (p. 6, Exhibit II6b)

35
36 According to Barkell, she and HR would take a look at the resume, see what experience
37 and background the individual had, and then go back to Chief Hendershott and tell him
38 what was available. He would not tell them into what position he wanted to see these
39 individuals placed. According to Barkell, referring to Hendershott, "He would always
40 want the one that could get the person the most money." (p. 7, Exhibit II6b)

- 41
42 • Gary Cress. According to Barkell, Gary Cress' daughter was dating David
43 Hendershott, Jr. at the time, and this was a situation where the resume
44 was handed over to Loretta or someone else in HR, and they found a
45 position commensurate with his qualifications. Cress was hired as a fund

1 administrator, and works under Loretta in the Fleet Management group.

- 2
- 3 • Karl Gosch. According to Loretta, Gosch is a friend of Sheriff Arpaio, and
4 Gosch's mother-in-law had been a significant supporter of Sheriff Arpaio.
5 She had held a few fundraising at her home in Paradise Valley. According
6 to Barkell, Karl was out of work, needed a job, after having gotten laid off,
7 and this was an instance where his resume was handed to her and she
8 was told that the Sheriff would like to hire Mr. Gosch. She was given this
9 information by Chief Hendershott.

10
11 According to Barkell, Chief Hendershott, with respect to almost all of the employees at
12 issue, would either have the resume of the individual in hand or their name and
13 telephone number. On occasions, Hendershott would just provide a piece of paper with
14 a name and telephone, and ask Barkell to call them to talk about what MCSO had
15 available and what their experience was.

- 16
- 17 • Patricia Cordova. Barkell advises that she is the sister of Lorraine Hendershott,
18 and therefore the sister-in-law of Chief Hendershott. She is another individual
19 who needed a job, was going through a divorce at the time, and was brought in
20 as a temporary employee and eventually hired as a permanent employee.

- 21
- 22 • Jeffrey Hendershott. Jeffrey is the younger son of David Hendershott, and
23 Barkell did not know too much about his hiring. He was hired as a temporary in
24 dispatch, and she believes that this would have been handled by MaryEllen
25 Sheppard. There was no need to find a permanent position for Jeffrey. Barkell
26 did not have any contact with Chief Hendershott about Jeffrey, but she believes
27 that MaryEllen Sheppard did.

- 28
- 29 • Whitney Sigholtz. Was hired in 1997, before Barkell joined MCSO.

30
31 Barkell indicated that "FODs" were handled by either Barkell, MaryEllen Sheppard or
32 Richard Dean, but more frequently the latter two. Barkell advises that, with respect to
33 Rayball, David Hendershott, Jr. and Adam Vecchi, she did not personally communicate
34 with Chief Hendershott. She also did not communicate with Hendershott relating to
35 Forrest Anderson. Hendershott did speak with her about finding positions for Lyzandra
36 Ovist, Gary Cress, Karl Gosch, and Patricia Cordova. She did not work to find a
37 position for Jeffrey Hendershott.

38
39 Barkell acknowledged that there had been occasions when she has gone back to Chief
40 Hendershott, and told him that they did not have a position suitable for the person he
41 wanted MCSO to hire, either because of their qualifications, or there was nothing
42 available within the pay range that he was recommending. Hendershott did not want
43 persons to be hired in a clerk or entry level position, but rather wanted them to have "a
44 pretty significant position in the office," and he made that clear to Ms. Barkell. He would
45 provide a salary range for what he expected the person to earn if they were hired.

1 Loretta considered it her job to do what was needed to "make it happen." (p. 13, Exhibit
2 II6b)

3
4 Loretta confirmed that in the majority of cases involving the transitions of these
5 employees, who had ties to Hendershott, from temporary to classified status, when the
6 recruitment came, the persons promoted were the only ones on the certification list.
7 Most all of the employees in question were hired in a "low org" recruitment, which the
8 County allowed, according to Barkell, until approximately three to four years ago.
9 Basically, up to that point in time, Maricopa County rules allowed a department to recruit
10 only with a sub-group in a department, therefore the "low org" designation, and the only
11 persons available to apply for the position would be those in the unit, and typically, the
12 only persons who applied in the unit was the person who was making the transition from
13 temporary to classified status. Typically, the person who was the temporary employee,
14 seeking the classified position, in a low org recruitment, was the only applicant.

15
16 It was clear that Maricopa County HR, not MCSO HR, put together the certification list,
17 and basically the list of qualified applicants, based on the information in the applications
18 and resumes. These cert lists are sent to Gertrude Jackson, the HR administrator at
19 MCSO, who has employed in this capacity since the 1990's Gertrude would be getting
20 her direction from the director of HR, Loretta Barkell or Richard Dean. It is also
21 Gertrude who fills out the job requisition that goes over to the County, and she works
22 with County HR on the job announcement, and then the final cert list comes back to
23 Gertrude, who then contacts the supervisor of the person who is supposed to be doing
24 the interviewing for the position, and gives them the information. According to Barkell,
25 the job announcements are sent to Gertrude and from Gertrude to the supervisor, who
26 is supposed to post it in the unit (on a low org recruitment). She acknowledged that it
27 was possible in "FOD" situations that the supervisor would only inform the employee
28 who was to be promoted from the temporary to the classified position. As she put it:

29
30 I think the Supervisors always would tell the FOD, the friend of Chief
31 Hendershott, that this permanent position was becoming available and they
32 needed to look at the County job openings, job opportunities and, that's all they
33 could say. I mean, they couldn't tell them to apply or anything. They're not
34 supposed to tell them to apply, but they definitely, would say, there is a position
35 out there you may want to look at. (p. 21, Exhibit II6b)

36
37 **David Hendershott**

38
39 Hendershott explained his or his families' relationship to the various individuals in
40 question. When asked why virtually all of these individuals were hired on a temporary
41 basis, as opposed to being hired as classified employees initially, Hendershott
42 professed that he did not know that a number of these persons had been hired on a
43 temporary basis. These included Lyzandra Ovist, who had thought that Lyzandra had
44 been hired "straight away"; and Mark Anderson, who he thought had been hired
45 permanently.

1
2 Hendershott's explanation was as follows.

3
4 A: Well the process of hiring somebody temporarily while a position is made
5 available as happened quite a bit, I mean I've been there a long time and it's I
6 mean and, you know the, I mean the prior personnel person, when you need
7 somebody you want to get a position, hiring a temporary person can be
8 accomplished much quicker and then once they're a temporary employee a
9 position can be, can be, posted, well I think it used to be it would be posted
10 internally. I mean I, I mean that's something that Jadel, that was a common
11 practice to get people on board. Frankly and it's also a common practice when
12 you really aren't sure whether somebody may do it right, you whether, you know
13 I think, you know the one, you know the one person that wasn't put down here is
14 Loretta Barkell's sister. I kinda forgot to mention Loretta Barkell came to me and
15 wanted to hire her sister and this is the same way, so. (p. 41, Exhibit II16d)

16
17 Hendershott acknowledged that there were benefits to an employer to hire persons on a
18 temporary basis, including the fact that the employer does not have to pay benefits. He
19 also indicated if the employees aren't good at their job, the employer can get rid of
20 them. Hendershott went on to provide additional information.

21
22 A: I guess my perspective is yes your absolutely right, coming in as a
23 temporary employee is a good way to get someone on board and I make no bones
24 about it and this, it's even more than this, this was a way for us to get people on
25 board because we needed the bodies because then the process of going through
26 the announcement and all that it could, at one point I think they changed the rules,
27 now that you can't do it, it has to be advertised openly and when you do that if
28 you, you know I mean I just seem to recall when we were looking for a
29 receptionist out front you now you get, you put out an app and there's a hundred
30 and fifty applicants and you've got to talk to every single applicant and so it's,
31 you know for, you know kind of a bridge opening job and its, it can wipe your
32 staff member out for two months doing just how are you doing welcome to the, so
33 you know we had, to do that it's cumbersome, usually do a paper cut, you have
34 staff do a paper cut and then after the paper cut. (p. 42, Exhibit II16d)

35
36 Hendershott also indicated that Sheriff Arpaio "prides himself on running into people on
37 the street, recruiting from the office, and encouraging them to apply, and Hendershott
38 does the same." (p. 43, Exhibit II16d)

39
40 It was pointed out to Hendershott that there was a pattern of hiring family members or
41 friends of family on a temporary basis, and then converting them to classified positions
42 afterwards. Hendershott's response was as follows.

43
44 A: Absolutely, certainly, done all the time. It was done you know somebody
45 knew someone who was very capable okay could encourage them to do that and

1 then the process would catch up with itself and it was done when Chief Roe was
2 the Chief Deputy, it was the way that the personnel system worked. You know
3 frankly it was used universally by other departments in the county to, as a way to
4 get people in line because they needed work done. Now I understand where
5 you're coming from, that I know all these people but I will tell you Mike Rayball
6 is a professor at a college, qualified, damn right, would I have suggested that he
7 consider applying okay to this job if I thought he was a jerk and he was
8 incompetent? Absolutely not. My son, we are lucky that my son, because he's
9 lived with me had an interest in law, my son has his engineering degree and to be
10 honest with you for years I have been somewhat vocal with him that I think that
11 he you know well you spend... (p. 44, Exhibit II16d)

12
13 It was also pointed out to Hendershott that these were "low org" recruitments, which
14 Hendershott acknowledged was an "internal recruitment" rather than an outside
15 recruitment. Hendershott indicated that low org recruitments were common. He does
16 not deny that the only persons who may have applied for many of these permanent
17 positions were the persons who were in the temporary positions. His position was that
18 this was "common practice," as he put it, "we did that up until the county changed the
19 rules." (p. 45, Exhibit II16d)

20
21 Hendershott was specifically asked about the allegation that he had arranged for the
22 company of the boyfriend of Patricia Cordova, who is related to him by marriage, and
23 works in the Personnel Division, to obtain some kind of contract to provide promotional
24 materials. Hendershott advises that he knew nothing about that. Hendershott did
25 comment that Patricia Cordova was somewhat angry (upon reading the Munnell
26 complaint) because this individual was not her boyfriend. Hendershott did not know
27 who his sister-in-law's boyfriends are.

28
29 Hendershott indicated, with respect to the alleged dispute between Joanne Kennedy
30 and his son, David Hendershott, Jr., that Joanne Kennedy was moved to another unit,
31 but his son had nothing to do with it. According to Hendershott, David, Jr., had no
32 issues with Joanne Kennedy. Hendershott explained that, according to Scott Freeman,
33 Kennedy was having significant marital problems at the time, bringing those problems to
34 work, and she was creating some issues within the division. According to Hendershott,
35 her chain of command felt that it would be best if she worked in the Narcotics
36 Operations, so she was transferred. Hendershott is not aware of his son having any
37 conflict with Joanne Kennedy.

38
39 Hendershott pointed out that Frank Munnell's daughter is employed by MCSO as a
40 Detention Officer, and Munnell's son is a Detention Sergeant. He pointed out that
41 Munnell's son promoted at a relatively young age, and that there were initially questions
42 about Munnell's daughter, prior to the time that she was hired, but the decision was
43 made to hire her at Munnell's request. There were other individuals, employed in the
44 command structure at MCSO, whose relatives have been hired.
45